

CONTRACTOR SUPPORT: WILL THE ARMY'S CONTINUED  
RELIANCE ON CONTRACTORS NEGATIVELY  
IMPACT FUTURE MILITARY OPERATIONS?

A thesis presented to the Faculty of the U.S. Army  
Command and General Staff College in partial  
fulfillment of the requirements for the  
degree

MASTER OF MILITARY ART AND SCIENCE  
General Studies

by

MARTIN A. ZYBURA, MAJ  
M.S., University of Washington, Seattle, Washington, 1999

Fort Leavenworth, Kansas  
2002

Approved for public release; distribution is unlimited.

Report Documentation Page		
<b>Report Date</b> 00 Nov 2002	<b>Report Type</b> N/A	<b>Dates Covered (from... to)</b> -
<b>Title and Subtitle</b> Contractor Support: Will the Army's Continued Reliance on Contractors Negatively Impact Future Military Operations?	<b>Contract Number</b>	
	<b>Grant Number</b>	
	<b>Program Element Number</b>	
<b>Author(s)</b>	<b>Project Number</b>	
	<b>Task Number</b>	
	<b>Work Unit Number</b>	
<b>Performing Organization Name(s) and Address(es)</b> US Army Command and General Staff College Master of Military Art and Science, General Studies Fort Leavenworth, KS	<b>Performing Organization Report Number</b>	
<b>Sponsoring/Monitoring Agency Name(s) and Address(es)</b>	<b>Sponsor/Monitor's Acronym(s)</b>	
	<b>Sponsor/Monitor's Report Number(s)</b>	
<b>Distribution/Availability Statement</b> Approved for public release, distribution unlimited		
<b>Supplementary Notes</b>		
<b>Abstract</b>		
<b>Subject Terms</b>		
<b>Report Classification</b> unclassified	<b>Classification of this page</b> unclassified	
<b>Classification of Abstract</b> unclassified	<b>Limitation of Abstract</b> UU	
<b>Number of Pages</b> 85		

MASTER OF MILITARY ART AND SCIENCE

THESIS APPROVAL PAGE

Name of Candidate: Major Martin A. Zybura

Thesis Title: Contractor Support: Will the Army's Continued Reliance on Contractors Negatively Impact Future Military Operations?

Approved by:

\_\_\_\_\_, Thesis Committee Chairman  
MAJ Duane H. Riddle, M.A.

\_\_\_\_\_, Member  
LTC Clayton T. Newton, M.S.

\_\_\_\_\_, Member, Consulting Faculty  
Colonel E. Wayne Powell, Ph.D.

Accepted this 31st day of May 2002 by:

\_\_\_\_\_, Director, Graduate Degree Programs  
Philip J. Brookes, Ph.D.

The opinions and conclusions expressed herein are those of the student author and do not necessarily represent the views of the U.S. Army Command and General Staff College or any other governmental agency. (References to this study should include the foregoing statement.)

## ABSTRACT

CONTRACTOR SUPPORT: WILL THE ARMY'S CONTINUED RELIANCE ON CONTRACTORS NEGATIVELY IMPACT FUTURE MILITARY OPERATIONS, by MAJ Martin A. Zybura, 78 pages.

Will the Army's continued reliance on contractors negatively impact future military operations? This paper examines the three different types of contractor groups and the risks associated with using systems, external support, and theater support contractors in the context of offensive, defensive, support, or stability operations. The paper concludes that the use of contractors in support of Army operations will impact those operations negatively if the risks associated with the contractor support are not identified, mitigated, and the contractor support is not well planned and integrated.

## ACKNOWLEDGMENTS

I would like to acknowledge the support I received from the staff and faculty of the Command and General Staff College. My research committee provided valuable support and guidance throughout the process. The staff at the Combined Arms Research Library at Fort Leavenworth provided valuable and professional assistance during the research phase and the staff of the Graduate Degree Programs provided valuable assistance in putting together the paper in final form.

## TABLE OF CONTENTS

	Page
THESIS APPROVAL PAGE .....	ii
ABSTRACT .....	iii
ACKNOWLEDGMENTS .....	iv
ACRONYMS .....	vi
ILLUSTRATION .....	vii
TABLES .....	vii
CHAPTER	
1. INTRODUCTION AND BACKGROUND.....	1
2. LITERATURE REVIEW .....	18
3. RESEARCH METHODOLOGY .....	27
4. ANALYSIS .....	33
5. CONCLUSIONS AND RECOMMENDATIONS .....	66
REFERENCE LIST .....	72
INITIAL DISTRIBUTION LIST .....	76
CERTIFICATION FOR MMAS DISTRIBUTION STATEMENT.....	77

## ACRONYMS

<i>AFARS</i>	<i>Army Federal Acquisition Regulation Supplement</i>
AMC	Army Material Command
COR	Contracting Officer's Representative
COSCOM	Corps Support Command
DA PAM	Department of the Army Pamphlet
DISCOM	Division Support Command
<i>DFARS</i>	<i>Defense Federal Acquisition Regulation Supplement</i>
DOD	Department of Defense
<i>FAR</i>	<i>Federal Acquisition Regulation</i>
FM	Field Manual
HCA	Head of Contracting Agency
JULLS	Joint Uniform Lessons Learned System
LOG CAP	Logistics Civil Augmentation Program
PAE	Pacific Architects and Engineers
PARC	Principal Assistant Responsible for Contracting
SOFA	Status of Forces Agreements
UCMJ	Uniform Code of Military Justice

## ILLUSTRATION

Figure	Page
1. Differences between Command and Contracting Authority .....	14

## TABLES

Table	Page
1. Methodology .....	31
2. Risks.....	64



## CHAPTER 1

### INTRODUCTION AND BACKGROUND

#### Introduction

Throughout its history the Army has used contractors to support operations. Army forces increasingly rely on contracted support. (2001, 12-10)

FM 3-0, *Operations*

To support national objectives the President chooses to use the military arm of power. Soldiers, sailors, airmen, and civilian contractors are deploying and preparing for operations. Civilian contractors working for private companies are part of the package required for utilizing the military arm of power. A growing reliance on contractors performing combat service and combat service support functions in peacetime and war has caused the number of civilians involved in operations to increase. Contractors are not subject to the military command and control system, are salaried by private companies, and generally do not provide force protection to themselves. Facing an asymmetrical threat, contractors can be exposed to the same hazards and dangers as conventional military forces in an area of operations. Utilizing contractors in military operations requires the commander and staff to conduct the necessary planning and integration of the contractors into the overall plan. They must fully understand the roles and limitations of contractors. Contractors are not a replacement of military forces. This distinction must be made and planned for. The purpose of this investigation is to examine the Army's use of contractors and determine if the use of contractors will have a negative impact on future military operations and if so what will that impact be. The fundamental

question is will the Army's use of contractors have a negative impact on future military operations?

This investigation will concentrate on the usage of contractors and their impact on operations. It will investigate both contingency contracting and systems contracts with a focus on the impact on operational issues. It will look at the challenges presented to both the contractors and the military as contractors are utilized and determine if there is a negative impact on operations and if so when does it occur. Field Manual (FM) 3-0, *Operations*, defines four types of operations: offensive, defensive, stability, and support. This study investigates contractor support in the context of these operations and applies them from peacetime military operations to major theater wars.

This issue is important because of the current utilization of contractors and the continued technological sophistication of the Army's weapons, communications, and support systems. No longer does the contractor support the equipment only when it is newly fielded, but the concept of Prime Vendor Support has the contractor supporting the system throughout its life cycle (Bramblett 1998, 5). As the military continues to move forward with the use of contractors, they will become more visible within the Army. During the Gulf War one in fifty Americans deployed was a civilian and in the North Atlantic Treaty Organization (NATO) operations in Bosnia approximately one in ten deployed was a civilian. The Department of Defense (DOD) has reduced the number of active duty military by 700,000 personnel and 300,000 DOD civilians since the end of the Cold War. Deployments and the use of US forces have increased since the Cold War and so has the use of contractors deployed with the force (Zamparelli 2000, 11). The impact of this increase must be investigated to see if and at what point the Army is taking too

much risk. Recent operations using contractors have been successful, but there is a level of risk associated with the use of contractors. To understand how contractors can impact Army operations, it is important to look at the historical use of contractors. A short examination of the history of contracting support for the Army will start this investigation.

### Background

The Army has used contractors since its beginning in 1775. Robert Morris, a Philadelphia merchant who was appointed by the Continental Congress in 1781 as the superintendent of finance, oversaw Army procurement. He adopted the practice used by European armies hiring private contractors to support the Continental Army. The use of contractors in the Revolutionary War had mixed results, but by 1783 the practice of utilizing contractors was generally accepted (Schrader 1999, 1-2). After the Revolutionary War there was little change in the use of contractors by the Army. During the Mexican War the use of contractors grew again. Because of the mobilization and movement of forces into Mexico, the use of contractors grew. The Quartermaster Department had over six hundred contracts in an eighteen-month period between 1845 and 1846. Procurement and service contracts continued to be used in the Civil War. Difficulties in procurement contracting in the early parts of the war led to changes in management procedures concentrating contracting authority at regional centers or in the capital. Contracting remained unchanged for the rest of the nineteenth century and the Indian Wars (Shrader 1999, 4-5).

The creation of the Quartermaster Corps in 1912 and the high level of mobilization of manpower for World War 1 minimized the need for contractors. Most

specialties could be found in the forces mobilized for the war. The Army did use some contractors in France and Belgium for additional labor. During World War 2, the use of contractors, as known today, started. Technical representatives were important assets in forward areas. These contractors assisted with technical problems associated with the increasingly sophisticated equipment used by the US Army. The Army also set up in North Africa and the Middle East forward ordnance repair facilities built and manned by contractors. During the Korean War the trend continued for technical representatives, and due to the low level of mobilization, contractors providing logistical support were also widely used. Korean and Japanese contractors were used extensively to support Army operations. Because of the low level of mobilization, length of the conflict, and increasing technical sophistication of weapons, contracting in support of the Vietnam War was a major part of the Army's logistical capabilities. Pacific Architects and Engineers (PAE) was the largest contractor supporting the Vietnam War. It was responsible for the operations and maintenance of base camps and other installations in Vietnam having 24,000 workers employed at peak strength (Shrader 1999,7-8).

Even though the Gulf War was relatively short in duration, an estimated 9,200 contractors were deployed in support of US forces. Between the Gulf War and today, the Army has continued to use contractors for operations in Haiti, Bosnia, and Somalia. In Bosnia, as well as during the Vietnam War, contractors were used to supplement force caps. Force caps impose a ceiling on the number of troops that may be deployed into an area. Contractors can expand that limit by performing combat service and combat service support functions because they are not covered under the force cap. This allows more combat troops to be put on the ground. In the mid-1990s the Logistical Civil

Augmentation Program (LOGCAP) was formed. This was an effort to formalize logistical support operations and the role and responsibilities of contractors. LOGCAP is discussed in depth later in this paper (Shrader 1999, 9-10). Historically, the use of contractors to support the military has had both positive and negative results. Proper utilization, planning, and understanding of the contractor's capabilities are essential to exercising contractor support. Based on history and current operations and policy, it is highly unlikely that the Army will deploy without contractors in future operations. An understanding of the use of contractors and determining what negative impact they may present to the commander are essential for the conduct of future operations.

### Research Questions

In the course of investigating whether the Army's use of contractors will have a negative effect on operations, other questions must also be answered. These questions facilitate the research and the foundation necessary for answering the primary question, if the Army's use of contractors will have a negative impact on future operations. First, it is necessary to define a negative impact to operations. The term negative impact must also be quantified. The term operation refers back to the terms defined in FM 3-0, *Operations*: offense, defense, support, and stability. The potential for contractors to be killed, injured, or taken prisoner or to leave their job in the face of danger may all be considered part of a negative impact. Increased planning considerations and asset allocation to protect, integrate, sustain, and support contractors must also be taken into account, as well as the reliability of contractors and the impact to military operations if their services are stopped. A negative impact for a support operation may be defined differently from a negative impact for an offensive operation and will surely differ for a

peacekeeping operation and a major theater war. Defining negative impact is the key to determining if there is one. In general, if the cost and risk associated with using contractors outweigh the benefits of using them, this can be categorized as a negative impact. For each type of operation or operations of different scope, there are different levels and definitions of impact.

Directly relating to the definition of negative impacts is the question concerning what can be done to mitigate or do away with negative impact. Increased training for military personnel involving the use and understanding of the employment of contractors may mitigate or cancel some parts of a negative impact. What can realistically be done to minimize or remove a negative impact must first be addressed before discounting the use of contractors due to a negative impact on the operation. Proper planning and incorporation of the contractors early can minimize problems associated later on. If impacts cannot be efficiently mitigated or removed, they are then valid impacts that go back to the primary question.

Why has the Army chosen to utilize contractors? As seen from the history above, the Army has consistently used contractors. The current defense guidelines, fiscal atmosphere, manning requirements, business practices, political sensitivities, and operational commitments of the US military all influence the policy on the use of contractors. Using contractors can save money and supplement friendly forces. The link between the government and private business is a strong one, and as outsourcing has become popular with the private sector, the Army has adopted it. Determining why the Army uses contractors supports the primary question of contractor usage and the potential for a negative impact. The baseline assumption that contractors are important to the

military for the foreseeable future requires an analysis of the risks and special considerations associated with them.

Another question that must be addressed concerns the policy on contractors and determining if it is in step with their current utilization and the requirements of the Army. The policy drives the use of contractors and sets the tone for where and when they should be employed. Disconnects between the policy and how contractors are actually utilized should be addressed. Are the requirements for the use of contractors sufficiently addressed, or are they simply used to fill shortfalls in military manning? Increasing technical sophistication may necessitate contractor support. A policy not in step with reality will lead to uncertainty and the probability of causing a negative impact on operations. The other part of this question deals with the Army's requirement for contractors and with ensuring it is in line with the policy. Differences in the two will again create uncertainty leading to the possibility of a negative impact.

Together the questions stated above will help to answer and support the primary question. The foundation question is, Why does the Army use contractors? From the foundation, the definition of negative impacts and determining if the policy for the use of contractors is in step with reality built on the investigation and forms an intermediate level. Arising from the intermediate level are the questions: What can be done to mitigate or remove negative impacts, and what can be done to change policy if needed? At the top of the pyramid is the primary question relating to negative impact on operations. The answers to the foundation and intermediate questions form the structure upon which the answer to the primary question is based.

## Key Terms

The following key terms are used throughout this paper. These key terms were extracted from Army doctrinal manuals, FM 3-0, *Operations*; FM 100-10-2, *Contracting Support on the Battlefield*; and FM 100-21, *Contractors on the Battlefield*.

Contingency Contracting. Contracting associated with acquiring the various goods and services needed to support a contingency operation. They can be services that the military is not equipped to supply or cannot immediately support because of the nature of the contingency.

Contract. A legally enforceable agreement between two or more parties for the exchange of goods or services.

Contracting Officer. The person who is legally authorized to enter into or terminate contracts.

Contracting Officer's Representative. Person designated by the contracting officer and is the contracting officer's designated representative and assists in monitoring and administration of the contract.

Contractor. The business or person who provides products or services for financial compensation. Contractors perform work or furnish supplies or services in accordance with the contract. Contractor support to the battlefield can be categorized as theater support, external support or systems contractors.

Defensive Operations. These operations defeat an enemy attack, buy time, economize force, or develop conditions favorable for offensive operations. Defensive operations alone normally cannot achieve a decision. Their purpose is to create conditions for a counteroffensive that allows the Army forces to regain initiative.



External Support Contractors. Contractors who are prearranged or awarded during the contingency. These contractors are different from theater support contractors in that the contracting authority does not fall under the theater PARC.

Full-Spectrum Operations. The range of operations Army forces conduct in war and military operations other than war.

Head of Contracting Activity (HCA). The head of the contracting activity is a General Officer, normally the senior commander in theater or a deputy who provides overall guidance during a contingency. The HCA appoints the PARC and all contracting authority flows from the HCA.

Host-Nation Support. Military or civilian support given by country to US or allied forces within their country. Certain components of host-nation support may involve contracts.

Logistics Civil Augmentation Program (LOGCAP). Logistics Civil Augmentation Program is an umbrella contract administered by the US Army Material Command as a special contingency contracting program that provides for maintaining on a multiregional basis, a worldwide contract. This contract allows for the acquisition of combat support and combat service support functions for a contingency.

Offensive Operations. Offensive Operations Aim at destroying or defeating an enemy. Their purpose is to impose US will on the enemy and achieve decisive victory.

Principal Assistant Responsible for Contracting (PARC). PARC is a special staff officer. This staff officer acts as the Army component commander's or mission commander's senior Army acquisition advisor responsible for planning and managing all Army contracting functions within the theater.

Stability Operations. These operations promote and protect US national interests by influencing the threat, political and information dimensions of the operational environment through a combination of peacetime developmental cooperative activities and coercive actions to resolve crisis.

Statement of Work. The section of the contract that describes the functions, goods, and services that the contractor will provide.

Support Operations. These operations employ Army forces to assist civil authorities, foreign or domestic, as they prepare for or respond to crisis and relieve suffering.

System Contractor. Contractors that support operational forces at home station or deployed. These contracts are awarded by the program managers or Army Material Command (AMC) to provide support to material throughout its lifecycle. These contractors provide specific material or maintenance expertise to various systems to include vehicles, weapons systems, aircraft, command and control and communications equipment.

Theater Support Contractors. These contractors support deployed operational forces using prearranged contractors awarded for a mission area. These contracts can include goods, services, and construction. Theater support contractors normally come from the local vendor base.

### Legal Aspects

Contractors are not members of the armed forces nor are they combatants. This section examines some of the legal issues associated with using civilian contractors. The legal issues range from how to prosecute a civilian contractor overseas to his status if

taken prisoner in a conflict. Members of the military are covered by the Uniform Code of Military Justice (UCMJ) no matter where they are deployed. The UCMJ is a tool of the commander to enforce discipline throughout the organization and in all circumstances. The UCMJ does not generally apply to civilian contractors and misconduct of contractors is taken care of through the corporate structure or through civilian authorities (Davidson 2000, 237-239).

When deployed outside the United States, the jurisdiction of civilian contractors becomes a much more complicated issue. Except for limited cases, federal criminal statutes do not extend to American citizens committing offenses overseas. A civilian contractor committing an offense overseas will not be inside federal jurisdiction. The UCMJ will not apply to the civilian contractor either unless the misconduct occurred outside the United States during a declared war. The US has not had a declared war since World War II. During the Vietnam conflict a civil contractor was convicted of conspiracy to commit larceny and attempted larceny during a general court-martial. His conviction was based upon Article 2(10) of the UCMJ. In that article it states that “ in time of war persons serving with or accompanying an armed force in the field” are subject to the UCMJ. The decision was brought to appeal and upon appeal “time of war” was interpreted to mean in a declared war (Davidson 2000, 239). There is one instance where the UCMJ can be applied to a civilian contractor. Article 2(4) of the UCMJ allows for prosecution under the UCMJ of “retired members of a regular component of the armed forces” that are entitled to a pension. This was used in Saudi Arabia against a contractor supporting the US Army. The contractor was a retired sergeant major and was prosecuted under the UCMJ for killing his wife in Saudi Arabia (Davidson 2000, 241).

The Military Extraterritorial Jurisdiction Act of 2000 attempted to solve the problem of overseas jurisdiction. This act extends federal criminal jurisdiction to persons accompanying the armed forces. The jurisdiction applies to crimes punishable by one or more years of imprisonment if the crime was committed in the territorial or maritime jurisdiction of the United States (Schmitt 2000, 3-5). This act did not extend any UCMJ authority and is cumbersome because the person committing the offense must be tried by a US district court.

Unlike members of the military, contractors are generally not protected by status of forces agreements (SOFA) or other international agreements. In places, like Bosnia and Somalia, contractors went into the country; and because they were not included in any formal agreement, they were subject to the laws of the local jurisdiction. This was also the case in Vietnam where contractors were subject to Vietnamese law (Davidson 2000, 242).

The general rule concerning the legal status of civilian contractors is that they are normally not subject to the UCMJ while serving outside the United States. Federal jurisdiction is limited under the Military Extraterritorial Jurisdiction Act of 2000. Contractors are also subject to local law unless they are specifically included in a status of forces agreement or other international agreements.

“The Law of Land Warfare,” chapter 3, paragraph 61, specifically defines the status of civilian contractors as a prisoner of war if detained. The section states that the following individuals are classified as prisoners of war and afforded all the rights of prisoners of war supply contractors, members of labor units or services responsible for the welfare of the armed forces, provided they have received authorization from the

armed forces which they accompany.” The section also states that they shall be provided an identification card (FM 27-10 1956, 25-26).

Civilian contractors may lose their protected status as a prisoner of war if they take up arms against enemy forces and are then captured. In this case they may be considered under paragraph 80, referring to individuals not of the armed forces who engage in hostilities. Under this paragraph they are not entitled to prisoner of war status and may be tried by the capturing power (FM 27-10 2000, 34-35).

### Contracting Doctrine

The authority to contract originates from a different source than command authority therefore there is often confusion concerning that authority. This section describes contraction doctrine, how it is used, and the how the authority flows to the contracting officer. FM100-10-2, *Contracting Support on the Battlefield*, lays out the structure for contractors on the battlefield. The authority to contract for services and supplies originates from the office of the Secretary of the Army. Figure 1 displays the differences between command and contracting authority (FM 100-10-02 1999, 1-21). Though they follow different paths, the purpose is the same to support the operational warfighter and the mission.

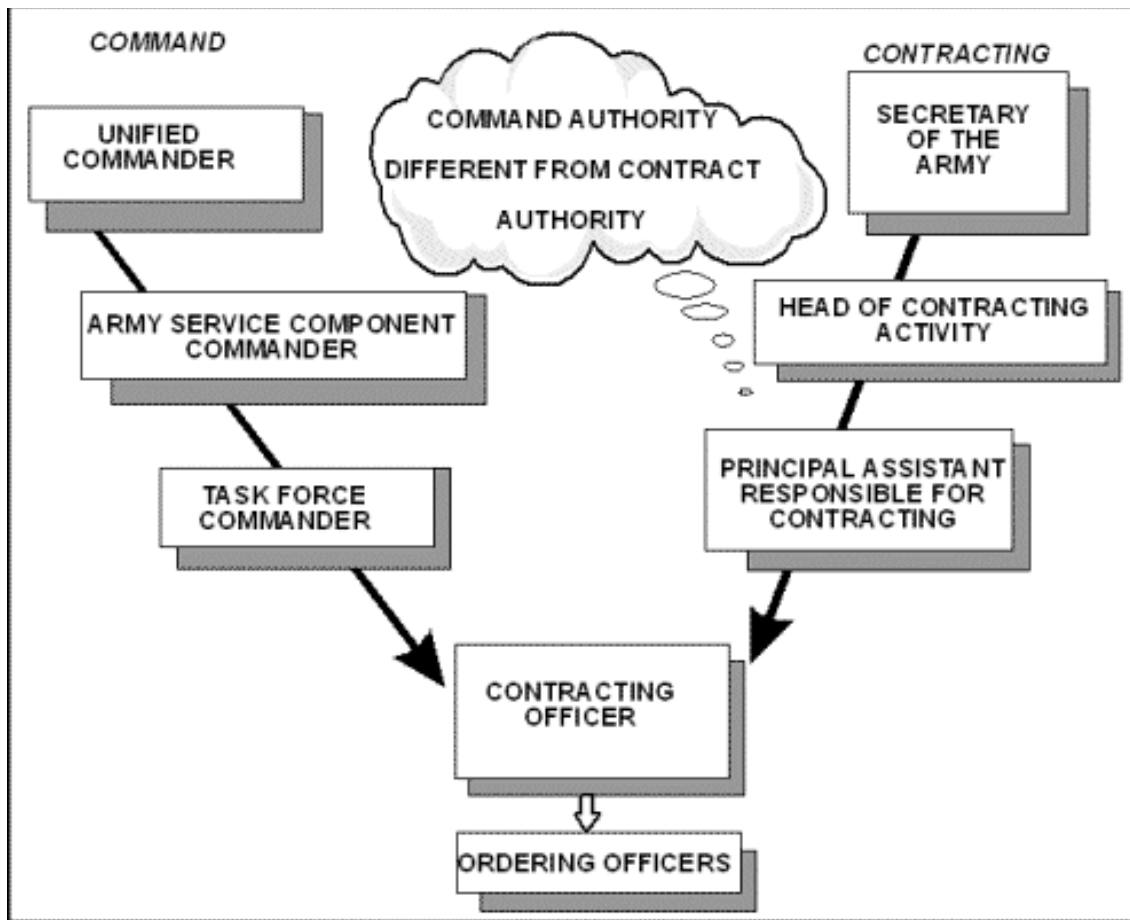


Figure 1. Differences Between Command and Contracting Authority

In a contingency situation, contracting authority will stem from the head of the contracting authority. The head of the contracting authority is normally the senior commander or his deputy. If it is a joint environment, a lead service will be designated for contracting and the head of the contracting authority will come from that service (FM 100-10-02 1999, 2-12). The principle assistant responsible for contracting (PARC) oversees the daily activities of the theater's contracting operations. In theater the PARC has numerous functions including establishing policies and procedures, processing waiver

sand special authorizations, and established the procedures for appointing contracting and ordering officers. The PARC also maintains liaison with other contracting personnel deployed with authority from their own organizations (FM 100-10-02 1999, 2-13).

At the theater level an acquisition review board is set up to review requirements against established contracts. This board normally consists of legal, contracting, resource management, logistical, and operations personnel (FM 100-10-02 1999, 2-14). Located at the theater support command, a contracting directorate normally forms the Army's theater contracting office. Below theater level both the corps and divisions have organic contracting support. At the corps, a Corps Contracting Center is located at the Corps Support Command (COSCOM). In a division, the Division Support Command (DISCOM) contains the necessary contracting support (FM 100-10-02 1999, 2-8, 2-9).

Outside contingency contracting, organizations may deploy their contracting assets including programs, such as LOGCAP and other AMC supported contracts. The PARC does not have control or oversight for these contracts but does conduct liaison with the government representatives.

### Methodology

The methodology for the conduct of this investigation includes defining the problem, reviewing available literature and sources, applying a research approach, collecting and building evidence, completing the research, and reporting the results. The problem is defined in the introduction and answering the primary research questions is the focus of the investigation. The secondary and tertiary research questions are answered first, defining why the Army uses contractors, what negative impact can occur, methods used to mitigate or remove a negative impact, and determining if the policy is in

step with reality. Once these questions are answered, a baseline is set, and then a comparative approach is employed for the primary question. The comparative approach is used within the context of Army operations. The criteria of responsiveness of support, transition from peace to war, continuation of essential service, and planning considerations are used in the comparative approach. For every type of Army operation along the spectrum of conflict, these criteria are discussed. A negative impact is as any use of contractors that detracts from the success of the operational mission. Risks are circumstances that may lead to a negative impact versus benefiting the operation when using contractors. The results of the analysis lead to risks presented by type of Army operation and contractor type.

### Limitations

Limitations refer to areas where the data or information is not available for the study. The Army does not keep data on the number and types of contractors that work under Army contracts. Because of the concept of performance-based contracting, contractors are not required to have a specified number of personnel, but are required to meet certain performance parameters. Contracts are often nested under operations and support lines of budgets or research development test and evaluation lines and not specifically broken out for contracts. In June of 2001, the *Federal Times* reported that the Army had halted a project to collect the size of the Army contractor workforce. The 2000 Defense Appropriations Act required DOD to calculate the size of their contractor workforce but the estimates are regarded as inaccurate (Hill 2001, 3).



A second limitation is the historical data available concerning behavior of contractors when they become directly involved in military operations. The data available is limited.

### Delimitations

Delimitations are areas that must contain the research, so the information is relevant to the topic. The research for this study is limited by contracts that specifically support troops in the field. Contractors involved in the procurement and fabrication of a weapons system will not be discussed. Post support contractors or contractors supporting nondeploying units will not be investigated. These contractors, while supporting the Army, do not directly impact the operational commander in the field. The main research question deals with supporting operations in the field and the research concentrates on topics that specifically perform that task. The research is also limited by focusing on Army-specific operations and doctrine. There is some discussion in the study on contracting in a joint environment, but the effects look at Army operations. Many of the challenges discussed will apply to the other services, but this investigation is from an Army perspective.

Understanding the current policy, doctrine, and literature available on the topic is important to establishing the baseline of research. The next chapter examines those areas. The focus is to summarize the existing literature, to show how it relates to the research questions, and to identify any gaps in the research that this investigation will fill.

## CHAPTER 2

### LITERATURE REVIEW

#### Introduction

There is a large amount of literature pertaining to the Army's use of contractors. This body of literature continues to increase as contractors are used. In this chapter, the literature pertaining to the topic is investigated. The literature review concentrates on topics dealing with contractors used in the conduct of operations. This review focuses on the history, doctrine, procedures, techniques, and reviews associated with the use of contractors in operations. All sources of literature were open to investigation in this review.

#### Purpose

The primary reason for conducting this literature review is to increase the knowledge of contracting support for operations and to validate the problem statement of this investigation. Analyzing the literature will increase the author's understanding of the problem and enable the research methodology to be properly used. Other reasons include determining the current doctrine for contractor operations and identifying controversies and holes in the current literature. These areas are important to answer the subordinate research questions concerning the current doctrine and to set the basis for the investigation. Gaps in the literature are noted, and controversies are used to ensure a balanced approach to the research methods in this investigation. The literature review also identifies lessons learned and the recommendations made after real-world operations.

### Scope

This review focused on literature applicable to contracting in support of Army operations. The author limited the review to the last twelve years except for obtaining the historical perspective. The review focused on Army operations though it also contained some literature dealing with other services and joint doctrine.

### Organization of Material

The literature pertaining to contractor support of Army operations is separated into four general categories. The first category is background literature. This literature deals with contracting support to the Army, in general, and also contains the historical examples of contracting support for the US Army. This material provides the basis to answer the research question pertaining to why the Army has chosen to use contractors and how the Army has arrived at its current use of contractors. The second category deals with doctrine, tactics, techniques, procedures, and laws. Included in this category are regulations, field manuals, and laws pertaining to the use of contractors to support military operations. The third category is literature specific to Army operations. This category includes after-action reports and articles and data derived from real-world use of contracts. The fourth category of informal literature is written on the subject of contracting support. This category is mainly academic papers and articles written by military professionals or academics concerning the use of contractors in support of Army operations.

## Background Literature

Background literature pertaining to the Army's contracting support and to the historical use of contracting was investigated to increase the author's knowledge and substantiate the usage of contractors in support of Army operations. The major sources of this information were histories of Army logistical support, academic papers, and some after-action reviews. The literature established the history of contracting in support of Army operations, identified contracting as a continual thread throughout the history of military operations in the US, and the continuing use of contractors.

The history and current state of contracting support is important to establish how the Army has come to use contractors. The literature is filled with historical examples of the use of contractors from the Revolutionary War forward. The twentieth century starting with World War II has seen the greatest growth in the use of contractors, and since the late 1950s, no major Army operation could have been completed without the use of civilian contractors (Shrader 1999, 11). The literature provides a sound base for the history of contractors and shows that contractors have been with the Army since its inception. The history also shows the recent use of contractors to support contingency operations and the trend to continue to use contractors.

The current trend in the literature points to the continuing use of contractors. LOGCAP support to operations in Haiti, Bosnia, and Somalia, all attest to the continued use of contractors and the relevance of this topic. From 1992 to 1997 the LOGCAP program itself accounted for \$700 million in expenditures. Numerous academic articles in the literature were written concerning the usage of contractors and the necessity of

properly planning for their use. Doctrinal publications were unavailable until the late 1990s, and the many of the articles deal with the role of the contractors.

Along with the role of the contractors, the background literature identified problems associated with a number of aspects of contracting support. The first problem identified in the literature was a lack of understanding and planning considerations employed for contracting during an operation. The civilian contractor component is not well known and is exercised when conducting planning and preparations. The inclusion of contractor planning in the military decision making process in support of Army operations is a valid issue with applicability to the problem statement behind this thesis.

The second major category of problems identified in the literature is the efficient management and oversight of the contracts ensuring that the government gets what they require without wasting resources. This category is similar for all contracts and not those dealing specifically supporting Army operations. These management problems can be applied to administrative or research and development contracts, so there is not a specific link to the problem statement.

The third major problem area identified in the research is distinguishing the functions of contractors and the military. What are contractors responsible for, and how do they work with and for the military? The risk associated with using contractors is inherent in this problem area. Considerations for putting civilians in harm's way and relying on them are discussed. This is directly related to the problem statement. Sufficient literature exists to substantiate the problem statement.

## Regulations, Doctrine, Tactics, Techniques, and Procedures

The literature containing regulations, doctrine, tactics, and techniques for contractor support was reviewed to provide a baseline of information and to answer the subordinate question of what is policy and whether it is in line with current procedures. The literature is extensive and covers all aspects of contracting an acquisition. This literature review included primarily sources that impact Army operations. Air Force, Navy, and Marine Corps regulations were not investigated in order to limit the scope.

The main regulations that deal with contracting for Federal and DOD agencies are the *Federal Acquisition Regulation (FAR)* and the *Defense Federal Acquisition Regulation Supplement (DFARS)*. These are the building blocks upon which all other regulations are based.

The *FAR* sets forth specific federal policies for contracting. Some of these policies include ways in which requirements are validated, procedures for funding requirements, ways in which to solicit for sources, format and clauses for contracts, competition requirements, certification requirements, and procedures for the award of contracts. The *DFARS* follows the same format as the *FAR* but tends to expand on requirements in the *FAR* putting a DOD perspective on the regulation. These regulations also provide for the procedures to address deviations. The *FAR* and *DFARS* do not specifically address contracting support of military operations, but provide a broad framework for all contracting actions. The *FAR* and *DFAR* do address waivers that can be requested in time of war to support needs. The Army supplement to the *FAR* and *DFARS* is the *Army Federal Acquisition Regulation Supplement (AFARS)*. Much like the *DFARS*, the *AFARS* follows the same format as the *FAR* and *DFARS*, but expands on

those regulations looking at Army specific needs and requirements. The Army Federal Acquisition Manual 2: *Contingency Contracting*, deals directly with contracting in support of Army operations deployed forward. This supplement provides a consolidated source of information for use during the planning and execution of contingency, humanitarian assistance, or peacekeeping operations and deployment exercises. It provides guidance for implementing the *FAR*, the *DFARS*, and the *AFARS* (*AFARS* Supplement 2 2000, 1-1).

Army Regulation 700-137, *Logistics Civil Augmentation Program*, establishes Department of the Army responsibilities, policies, and procedures for the implementation of LOGCAP. It assigns responsibilities to major commands and unified commands. Department of the Army Pamphlet (DA PAM) 715-16, *Contractor Deployment Guide*, is a discretionary document that provides an overview of contractor deployment issues. This pamphlet was published in 1998 and takes lessons learned from other operations that occurred in the 1990s, such as Operation Desert Shield and Desert Storm (DA PAM 715-16 1998). The document discusses command and control, supervision of contractor personnel, and deployment considerations for contractors. The literature discussed above provides the baseline for contractor support for Army operations. The regulatory and discretionary guidance forms the basis for legal actions and in conjunction with doctrine works to provide the guidance necessary for contractor operations.

Two field manuals form the basis for Army doctrine: FM 100-10-2, *Contracting Support on the Battlefield*, and FM 100-21, *Contractors on the Battlefield*. FM 100-21, *Contractors on the Battlefield*, was published in March of 2000. These manuals address the necessary considerations required for the use of contractors when planning

operations. It defines the roles of the contractors and lays out their relationship to the commander. The manual details a doctrinal approach outlining the necessary considerations and processes a staff and commander should go through when planning for and using contractors in an operation.

FM 100-10-2, *Contracting Support on the Battlefield*, was released in August of 1999. This manual addresses from a logistical perspective the roles and functions of contractor support. It defines the echelons of contractor support, planning considerations, how to obtain contractor support, and the battlefield contracting structure. This manual details some of the same areas as FM 100-21, but it does so from a logistical perspective. FM 100-21 is focused toward the operational commander and staff. Both manuals are important to base line the doctrinal roles and responsibilities the Army considers for contractor support.

FM 3-0 (June 2001), the baseline for Army operations, for the first time discusses contracted support and describes an increasing reliance on contractor support by the Army. The manual addresses systems contractors, external support contractors, and theater support contractors. The application of doctrine and regulations is discussed in the next section.

### Literature Specific to Army Operations

The third category of literature specific to Army operations looks at how doctrine and regulations are put to practice. Within this category there are two divisions of the literature. The first area concentrates on literature coming from official channels in the form of after-action reports and documents directly generated in the conduct of an operation. The Center for Army Lessons Learned has an extensive database of



documents from recent operations to include the operations in Bosnia, Haiti, Somalia, and Rwanda. This data provides an excellent pool of information concerning stability and support operations. Documents from the Gulf War provide data to support contracting support for a full-scale ground operation. The Joint Uniform Lessons Learned System (JULLS) also provides primary information on operations in a concise format.

Literature submitted to academic journals and academic reports are the second division within this category. Articles dealing with the conduct of operations and the success, failures, and methods of incorporating contractors are available. These articles appear through informal channels and provide insight on contractor support. The combination of formal and informal sources provides an adequate base for literature specific to real-world operations.

#### Academic Literature

The fourth category of literature investigated is academic literature. This literature appears in academic papers and journals and does not specifically look at contractor support. These articles look at the process and concepts for the future. They are not reviews of operations, but articles looking at a specific problem statement, analyzing data, and making recommendations. This information is helpful in investigating trends and concepts concerning the process. There is sufficient literature available in this category for this investigation.

## Summary

The review of background literature, academic literature, and literature specific to Army operations substantiated the problem statement that there is concern the Army's use of contractors to support operations may have negative impacts in future operations. The literature review also set the foundation for the current doctrine and regulations governing contracting. Sufficient literature is available to conduct this investigation.

The literature suggests that there may be a negative impact to future operations if the Army continues to utilize contractors. In order to investigate this, it is necessary to analyze the literature with respect to Army operations. The next chapter contains the methodology to analyze the data and literature available in order to identify the possible risks associated with the use of contractors to support operations.

## CHAPTER 3

### RESEARCH METHODOLOGY

#### Introduction

This chapter describes the methodology for analyzing the Army's use of contractor support. This methodology details the process of investigating the roles and impacts of contractors on Army operations, categorizes the effects, and details the criteria for analysis. Shortfalls of the methodology are also discussed in this chapter.

#### Methodology

The methodology for this research consists of the following functions: review of literature, categorizing the use of contractors into the different types of operations, determining negative impacts for the operations, weighing the cost and benefits of the negative and positive impacts of contractor use, recommending mitigation techniques, and determining and documenting results. These functions are not completed in series but follow a parallel path of analysis.

The review of literature focused on regulations and doctrine, after-action reviews, academic literature, and interviews and also included information from the contractor perspective. This literature is crucial to establishing the base of knowledge. The regulations and doctrine describe how the task is supposed to be done. The after-action reviews provide insight into how actual support is taking place. Academic literature provides an analysis and a perspective of the problem, and interviews provide firsthand knowledge of contractor support of Army operations.

The characteristics of the four Army operations from FM 3-0, *Army Operations*, are detailed, and the applicability of contractor support is investigated. The applicability and use of contractors in offensive, defensive, stability, and support operations are discussed focusing on the peculiar aspects of supporting each. The applicability and use of contractors are not limited to contiguous operations and linear operations, but all operations have the chance of becoming nonlinear or noncontiguous or a combination of any form. When examining the use and applicability of contractor support to any of the four operations, the possibility of the operation being complex and combining linear, nonlinear, contiguous, and noncontiguous is taken into account. Risks and challenges encompassing all areas are taken into account. Since any operation will have components of offensive, defensive, stability, and support operations occurring on various scales simultaneously, for this investigation the predominant characteristic of each operation is investigated. In defining the applicability and use of contractors for operations, if an operation is primarily stability, with components of support, offensive, and defensive in it, this investigation examines it as a stability operation.

Included in the methodology is the discussion of the use of the various types of contractors. These types are theater support, external support, and systems contractors. Each of these contractor types provides different functions and is composed of different types of individuals. Theater support contractors tend to be from the local vendor base and normally provide goods and services to the military whereas a system contractor will have a higher level of technical sophistication and will accompany the force from home station. The diverse missions and compositions of each type of contractor force a discussion and consideration of each and their impacts on operations.

For each type of operation and associated contractor type, possible negative impacts to the operation are examined using the framework of the risks described in FM 100-21. The risk considerations described in FM 100-21 are the general categories associated with the determination of negative impacts. These categories are responsiveness of support, transition from peace to war, and continuation of essential services. Responsiveness of support concentrates on factors that can impact contractor performance that are not under the control of the contractor. These areas may include a lack of a transportation infrastructure in theater to move supplies, force protection issues, or a lack of available local manpower. Responsiveness of support is also impacted by an efficient management structure in place to manage the contractors. Since contractors do not fall under the military chain of command and have a parallel structure including contracting officers, contracting officer representatives, and contractor management, only an efficient structure linked to the military chain of command can facilitate responsive support. Different challenges exist for this support structure for each of the types of operations discussed.

The next criterion is transitioning from peace to war. This area concentrates on the ability for the unit to provide force protection for the contractors as well as the ability of the contractor to operate in a hostile environment. Force protection may force the commander to divert some of his assets to the protection of the contractor. In certain instances the contractor may not be able to properly operate in a hostile environment, especially if there are nuclear, biological, or chemical concerns. Transitioning from peace to war can occur in any type of operation. For example, in an offensive operation there may be no initial risk to the contractor; but based upon enemy actions and the flow

of the operation, the risk may change. The contractors are now in an area of high risk of hostile action.

The last area for consideration is the continuation of essential services. This area encompasses the ability of the contractor to provide essential services during periods of crisis. A disruption of services can negatively impact an operation in many ways and is different for each type of operation. This area also includes the preparations of contingency plans to obtain the services by alternate means if the services cannot be continued from the current contractor. Continuation of essential services is broken down for each operation and type of contractor, specifying the roles of each.

For each of the categories summarized above, detailed examples of risks for each type of operation are presented and discussed. Risks for each operation are unique. An analysis of the risks is then conducted. Based upon the analysis of the risks and the benefits of using contractors, each situation's applicability towards the use of contractors is discussed. The drawbacks and risks are annotated and summarized. Possible mitigation techniques of the negative impacts are discussed and determined if applicable in chapter 5. The results are then summarized in chapter 5 and presented taking into account the mitigation efforts. A summary of the methodology is displayed in table 1. The individual examination of each operation and contractor type includes the risks, distinct operational issues, and results of each. The division of risk includes the four categories discussed above, keeping them in line with Army doctrine in FM 100-21. Each category is then summarized with a final summary looking at the differences and commonalties between each of the areas. Recommendations including recommendations for further research are based on the final results.

Table 1. Methodology				
	<b>Offensive</b>	<b>Defensive</b>	<b>Stability</b>	<b>Support</b>
Systems Contractors	Risks Operational Issues	Risks Operational Issues	Risks Operational Issues	Risks Operational Issues
Theater Support Contractors	Risks Operational Issues	Risks Operational Issues	Risks Operational Issues	Risks Operational Issues
External Support Contractors	Risks Operational Issues	Risks Operational Issues	Risks Operational Issues	Risks Operational Issues

### Methodology Shortfalls

This methodology predominately relies on the review of literature and does not focus on data collection. After-action reviews are used, but collection of actual data is not done to limit the scope of the investigation. The methodology also does not account for all variables associated with a contractor deployment including geographical areas of deployment, working relationship of the contractor and the military and enemy situation. The methodology used concentrates on the common aspects of the operations and is not mission specific. The risks do not cover all situations and apply generally to the specific operations and contractor type. By applying the common elements of the operations and contractor type a framework is developed based on current doctrine. This framework provides a set of general risks when evaluating future operations. These risks are mission dependent and require tailoring for every mission and circumstance.

### Summary

This methodology answers the primary research question by breaking contractor support into its doctrinal elements and by looking at the impacts, benefits, mitigation and results for each area. This methodology is applicable to all types of operations and is not limited to a specific scenario. The methodology provides a framework for the necessary analysis of contractor support by looking specifically at the different types of contractor support and at the operations in which contractors are used.



## CHAPTER 4

### ANALYSIS

#### Introduction

Contractor support of military operations is a historic fact. The following analysis consists of the three types of contractors analyzed with respect to the four different types of operations. Systems, external support, and theater support contractors are examined with respect to offensive, defensive, support, and stability operations. As technology continues to advance, so will weapons and systems supporting the soldier in the field. This analysis begins with the contractors who support those systems and equipment, the systems contractors.

#### Systems Contractors

Clearly, the introduction of new and complex technology on the battlefield will place increasing demands and pressures on the military. In the future, some equipment may prove to be beyond the scope of our currently military equipment support organization. (Reeve 2001, 9-10)

Brigadier Paul Evans

Systems contractors are those contractors who support the equipment of the deployed operational force. They provide support to specific material systems during the life cycle of that system. System contractors normally support the operational force at the home station and when deployed. Contractors normally have a habitual relationship with the units they are supporting and a familiarity with the equipment. The contracts for systems contractors flow from an Army Material Command, program managers, and program executive officers. In a theater of operations, system contractors are to maintain

liaison with the PARC or senior contracting authority in theater (FM 100-10-2 1999, 2-16).

During Operation Desert Storm, systems contractors accompanied forces into Iraq and Kuwait. The functions of these contractors include providing support for the M1 tank, M2 Bradley, OH58 helicopter, Patriot air defense missile, and mobile subscriber equipment. In addition to the contractors linked up with the operational units, there were also contractors supporting from behind the lines in fixed sites and facilities (Dibble, Horne, and Lucas 1993, 2-4-2-6). During offensive operations, contractors have the requirement of keeping up with the friendly forces. At times, this may put them at additional risk because they move forward with friendly troops into enemy territory. The next section examines the risk of using systems contractors.

### Systems Contractors during Offensive Operations

At the operational and tactical level the risks associated with using systems contractors are broken down into three general categories including continuation of services, responsiveness of support, and transition from peace to war. The following are risks associated with responsiveness of contractor support:

#### Responsiveness of Support

1. Inability of the contractor to maintain/repair equipment because of environmental factors
2. Limiting freedom of movement due to force protection issues
3. Unable to support civilian contractors as they move forward in the battle
4. Injured, killed, or captured contractors

For support to be responsive, the contractor must be able to get to the required place quickly and efficiently. During offensive operations, systems contractors will experience challenges because of various environmental factors including accessibility of road networks, terrain, weather, and a lack of sufficient infrastructure. In order to overcome these issues the contractor will have to devote significant resources or use military resources. Offensive operations in Desert Storm culminated quickly, and the systems contractors were not fully tested. Operations of longer duration will pose more risk when using contractors. To fully evaluate the risks associated with using systems contractors in offensive operations a more robust enemy action is assumed applicable.

In an offensive operation, force protection issues are also significant for systems contractors operating forward. Offensive operations may be linear and contiguous or nonlinear and noncontiguous. The latter situation presents the most difficult challenge and highest risk associated with force protection for the contractor. Noncontiguous and non-linear offensive operations will present the greatest risk to contracted employees. Our enemies may see contractors as a soft target. Attacking contractors can potentially limit support to the operational forces and cause the contractors to act in a more limited manner thus reducing their effectiveness. Assets allocated to protect contractors will depend on the threat, but each soldier assigned to protect a contractor degrades the number available for other duties. The force structure does not provide for force protection teams. The increased force protection will limit the contractor's freedom of maneuver and ability to be responsive with their support. Relying on the military for force protection also slows the reaction time to get the proper contractor expertise to a Patriot Battery or Apache Troop to work on their equipment.

As civilians move forward with the units in offensive operations, it will become increasingly difficult to support them. This lack of support is a risk that can directly affect unit readiness. Without the availability of contractors to repair systems, the system and unit readiness will decrease. If the method of support the contractor is using does not include military resources, it will be difficult in certain instances for the contractor to accomplish the support with organic assets. Sustaining contractors can involve numerous aspects of life support, facilities, and government furnished equipment. Life support includes, such items as field services, medical support, mail services, and mortuary affairs. Systems contractors, since they position themselves with the operational units, may receive their life support from the unit they habitually support. They may receive these services directly from their civilian company but the logistical problem of getting these services to distinct points on the battlefield especially in offensive operations is enormous. The terms and conditions of the contract must specify the support given to these contractors. Facilities and government furnished equipment fall into the same category (Fortner 2000, 4).

The potential for injured, killed, or captured civilian contractors is present in all situations but is especially worrisome for systems contractors in offensive operations. System contractors are often intermingled with troops. They operate in troop locations and work side by side with troops. As friendly troops conduct offensive operations, these contractors will accompany the force. Contractors are also legitimate targets if they are conducting a function supporting a legitimate target. For instance, an administrative office for systems contractors is not a legitimate target but a grouping of systems contractors working on a Patriot is legitimate. Their support for the military function of

the Patriot system makes them a legitimate target. Systems contractors support military systems so their basic function in itself makes them a legitimate target. For systems contractors, a natural tendency may be for them to carry weapons for self-protection. This act can void their non-combatant status and since they are civilians, they may not receive prisoner of war status if captured. If they do not receive prisoner-of-war status, they are subject to the laws of the capturing party (Fortner 2000, 5-6).

The areas cited above all are risks that impact the contractor's ability to provide responsive support to the operational forces. The next risk category deals with the ability of contractors to transition from peace to war. This is a challenging area for military units and even more challenging for contractors. The list below covers the main risk areas in this category:

#### Transition from Peace to War

1. Inability to deploy the contractor in theater quickly
2. Readiness of contractor personnel
3. Diversion of combat units to force protection of contractors

The habitual relationship of systems contractors with operational units can give them an advantage in deploying into theater quickly. Including the contractor in readiness exercises deployment training and preparations for overseas movements are all areas that can help ease the transition. The habitual relationship of systems contractors allows the contractor and chain of command to be familiar with each other and have a pre-established working relationship that will ease the deployment and transition. If contractors are not included with the military deployment, they must get into theater on their own. This is difficult due to a lack of civilian assets able to arrive in theater and the

military control of ports, airfields, and other transportation hubs. Any delay in deployment will impact the planning and support of the military units in theater. Along with deploying in theater the contractor must be able to have the ability to rotate or replace people, bring in equipment, and transfer information. For offensive operations, establishing a base of support is essential to the outcome of the operations. Delays in bringing in that support whether military or contractor are not beneficial.

Like the military personnel they are supporting, contractor personnel must be at a high state of readiness. This fact is more important for systems contracts in offensive operations than for any other contractor type or operation type. The habitual relationship of systems contractors will positively influence their state of readiness allowing them to be included in the readiness training and preparations of the unit they are supporting. Many contractors, understanding their role, establish their own readiness standards for their employees many of them mirroring military standards. A commander continually monitors his unit readiness. There is no such standard system to monitor contractors. Commanders must rely on the contractor management for that information. The contract can establish readiness standards the contractors must meet. As with any additional requirement to a contract comes additional cost (Whitson 2001,13).

During the transition from peace to war the support base is established and units and their associated systems contractors are preparing for operations. Along with the preparations for operations, force protection will again become a greater issue. Assets including personnel and equipment are vulnerable in the build up phase. Since contractors do not have their own organic force protection assets, forces are devoted to them. As stated earlier contractors are a soft target and especially vulnerable in a

noncontiguous or nonlinear conflict. Contractors and contractor facilities left unprotected also make lucrative terrorist targets. Transitioning from peace to war presents unique challenges to contractors and the military units they support. Failure to provide services by contractors can result in financial penalties or default of the contract. Although these penalties can be substantial, they do not compare in scope to the possible operational impacts that a unit can suffer if a contractor fails to perform and contractor personnel and equipment are not at the desired state of readiness. The next category of risks examines the continuation of essential services in a state of crisis. The following are risks associated with the continuation of essential services for systems contractors during offensive operations.

#### Continuation of Services

1. Inability or lacks of desire to conduct contract actions
2. Failure to conduct contract actions because of management deficiencies
3. Injured, killed or captured contractors
4. Contractor cannot regenerate their capability

The first risk associated with the continuation of essential services during a time of crisis refers to the inability or lack of desire for a contractor to conduct contract actions. Offensive operations with systems contractors present the most challenging aspect. Will contractors move forward into an area they perceive is susceptible to nuclear, biological, or chemical (NBC) attack, conventional attack, or terrorist attack especially if the enemy has already demonstrated that capability effectively? The contract binds the contractor. Penalties and contract default may occur if the contractor fails to perform. Unlike the military, contractors are not bound by the military rank

system, chain of command, duty, and UCMJ to move into dangerous situations. This is not to say that contractors do not have a sense of duty and are not willing to confront dangerous situations, but to simply state contractor motives and responsibilities are different from the military. Systems contractors will be more likely to confront these situations but the overall risk of failure is greater for contractors than for military support structures. The mere threat of conflict on the Korean Peninsula in 1976 after the demilitarized zone (DMZ) tree-cutting incident caused hundreds of Department of the Army civilians to request transportation off the peninsula. Any similar action now by contractors will cause serious support problems for the commander (Schenck 2001, 6).

Management deficiencies also fall into the same category as the risk discussed above. In the case above management supports the continuation of essential services but individual employees may not be willing to carry out contract actions. The management risk falls directly on the management and their support of continuing essential services. A crisis may cause management support to weaken because of personnel, material, and financial losses to the company. If this support is gone, the services are not accomplished.

Contractors who are injured, captured, or killed during a crisis pose a risk to the continuation of essential services. Not only does this influence the resolve of the management and the contractors themselves, but also especially in the case of systems contractors a technical expert is lost from the support structure. The loss of these experts will affect the availability and maintenance of the equipment they are maintaining.

The last risk posed by using system contractors for offensive operations is the inability of the contractor to regenerate their capability. Losses of personnel or



equipment to any factor during a crisis will create for the contractor and government a regeneration problem. Systems contractors generally have specific skills and require specific training, experience, technical knowledge, and tools to work on weapons systems. The potential is present for services to stop or suffer delays because of the lack of a regeneration capability on the part of the contractor.

The consequences of the risks discussed relating to systems contractors in offensive operations examined in the tactical, operational and strategic framework leads to the following observations. The tactical aspect of these risks is the inability to have consistent support from systems contractors while in theater and participating in offensive operations. This will affect the tactical commander on the ground and his ability to employ systems and forces because of unreliable support. From the operational perspective, the commander may not be able to deploy systems in all areas where he sees them being beneficial. The commander remains conservative in their employment because of the lack of support and vulnerability of the contractors. Strategically, the death or capture of civilian contractor employees can cause support for a mission to diminish and the will for involvement in an operation to wane. The probabilities of these risks depend specifically on the operation and threat. However, systems contractors in offensive operations are more vulnerable to enemy actions.

### System Contractors during Defensive Operations

The purpose of defensive operations as defined by FM 3-0 is to defeat enemy attacks. It also defines an effective defense as one that engages the enemy with static and mobile forces and allows the transition to offensive and decisive operations. Continual preparation characterizes defensive operations. The role of systems contractors in

defensive operations is much the same as it is in offensive operations. Defensive operations also have the potential of becoming non-linear and non-contiguous.

The risks associated with defensive operations are the same as offensive operations for the transition from peace to war and continuation of essential services categories. The risks associated with responsiveness of support are similar with the differences noted below.

The inability to maintain or repair equipment because of environmental factors is not as severe a problem in defensive operations as it is in offensive operations. During defensive operations the available infrastructure is relatively well known. While in offensive operations friendly forces do not yet control the terrain and infrastructure. A system contractor can more easily support defensive operations because of the friendly control of terrain. An example of this is the terrain south of the DMZ on the Korean peninsula. Operations are more difficult for the systems contractor in offensive operations north of the DMZ.

Providing support for civilian contractors is still an issue in defensive operations, but like the example above is not as pronounced as offensive operations. Fixed sites and well-supported main supply routes are more prevalent in defensive operations. This allows for greater ease of support to the systems contractors. Since defensive operations are not decisive and eventually transition to offensive operations, any risks associated with offensive operations are present when conducting defensive operations. The ultimate goal of defensive operations is to transition to decisive offensive operations.

## Systems Contractors during Stability Operations

Stability operations are defined by FM 3-0 as “normally nonlinear and often conducted in non-contiguous areas of operation.” Stability operations also “promote and protect US national security by influencing the threat political and information dimension of the operational environment.” Army doctrine defines ten different types of stability operations. The ten types are peace operations, foreign internal defense, security assistance, humanitarian and civic assistance, support to insurgents, support to counter drug operations, combating terrorism, non combatant evacuation operations, arms control, and show of force. Stability operations are normally complex and place great demands on small units. The role of systems contractors in stability operations is the same as their role in offensive and defensive operations to provide support to systems in the field (FM 3-0, 2001, 9-1-9-6).

The risks associated with employing systems contractors are generally the same as for offensive and defensive operations with specific distinctions when describing the nature of the risk. The first category is responsiveness of support. The following risks are associated with the responsiveness of contractor support:

### Responsiveness of Support

1. Inability of the contractor to maintain/repair equipment because of environmental factors
2. Limiting freedom of movement due to of force protection issues
3. Inability to self-sustain
4. Injured, killed, or captured contractors

Since stability operations put a large reliance on small units, are normally nonlinear, non contiguous, and often occur in areas with limited infrastructure, there is a risk that the contractor will have difficulty maintaining equipment because of environmental factors.

These aspects of stability operations also affect force protection issues. Stability operations present the full range of force protection issues for contractors. These concerns range from banditry and warlords in Somalia aggressive toward contractors, looting of vehicles in Haiti because of the “treasures” on board, to protecting contractors from the proliferation of mines in Bosnia (Kolar 1998, 3). Each area and instance presents its own challenges. No matter what the challenges are, there is still the risk of force protection hindering the contractor’s freedom of movement.

Because of immature infrastructure and the lack of movement into the theater the contractor may not be able to sustain their own people and must rely on the military. Injury, death, or capture is also a risk. In stability operations, contractors are high payoff targets. In a situation of instability and infighting between local factions contractors are vulnerable to terrorist acts and kidnappings as well.

The risks for transitioning from peace to war are the same as offensive and defensive operations with the addition of the inability to sustain long-term operations and the following distinctions:

#### Transition from Peace to War

1. Inability to deploy the contractor in theater quickly
2. Readiness of contractor personnel
3. Diversion of combat units to force protection of contractors

#### 4. Inability to sustain long-term operations

The challenges of deploying to stability operations and the readiness of contractor personnel are similar to those discussed in offensive and defensive operations but stability operations add the dimension of time. FM 3-0 discusses the goals of stability operations. It states “stability operations may not be achievable in the short term . . . success often requires perseverance, a long term commitment” (FM 3-0, 2000, 9-5). For long-term operations, contractors must have the ability like the military to rotate personnel. And with each rotation of personnel the readiness and deployability risks rise.

The diverse force protection issues, long-term nature, and noncontiguous nature of stability operations can make the force protection risk higher for stability operations than for offensive and defensive operations. The small unit nature of stability operations also will cause more movement of systems contractors to get to the locations to repair systems.

The risks associated with the continuation of essential services during a crisis are the same for stability operations as they are for offensive and defensive operations:

#### Continuation of Services

1. Inability or lacks of desire to conduct contract actions
2. Failure to conduct contract actions because of management deficiencies
3. Injured, killed, or captured contractors
4. Contractor cannot regenerate their capability

The main distinction between stability operations and offensive and defensive operations concerning these risks is the length of time the operations may take. As stated before stability operations are normally long term. In a crisis the challenges to keep the

contract going will be enormous and require perseverance on the part of the government and the contractor.

Stability operations, based on their nature, provide a wide range of risks for the use of systems contractors because of the range of operations stability operations cover. The risks associated are generally the same as offensive and defensive operations. This is assuming a stability operation in a non-permissive environment. Each stability operation judged independently to examine the range of risks that apply.

#### Systems Contractors during Support Operations

Support operations, like stability operations, are most often non-linear and non-contiguous. They primarily involve the use of military forces to assist civilian authorities. Those authorities may be foreign or domestic. Domestic support operations and foreign humanitarian assistance are the two types of support operations. Supporting relief operations in Rwanda under JTF Support Hope and relief efforts for Hurricane Andrew in the United States under JTF Andrew are examples of support operations. Unlike stability operations, support operations are usually not long term. The purpose of support operations is to meet the emergency needs until civilian authorities can take over the operation (FM 3-0 2001, 10-1-10-6). The following analysis looks at the risks associated with support operations and the use of systems contractors. It is key to remember that support operations couple military and civilian authorities with the ultimate goal of getting the military out and having civilian control as soon as possible.

The following are risks associated with responsiveness of support for systems contractors employed during support operations:

### Responsiveness of Support

1. Inability of the contractor to maintain/repair equipment because of environmental factors.
2. Limiting freedom of movement due to of force protection issues.
3. Injured or killed contractors.

Infrastructure and the reason for the support operation itself will make it difficult for the contractor to provide responsive support. A different perspective on force protection is necessary in stability operations. The enemy may not be a force or group of forces but a sickness or condition. Disease, forest fires, or the release of radiation may be the elements that force protection focuses on. Armed conflict or threat to the contractors may be present in support operations but the probability is low. A lack of force protection and the overall risk of the operation itself can lead to the injury or death of a contractor.

During support operations, the transition from peace to war that is discussed in the other sections is the equivalent of the initiation of a support operation. A lack of readiness and deployability are the two issues here.

### Transition from Peace to War (Initiation of support operation)

1. Inability to deploy the contractor in theater quickly.
2. Readiness of contractor personnel.

These risks are the same or similar to those in other operations with the added emphasis that support operation are short lived and normally initiated with little notice. Based on this a contractor must be able to deploy quickly. There is not enough time in the operation to allow for delays in deployment. Continuation of services in a time of

crisis for support operations falls into the same categories of risk as stability operations.

The risk of a contractor captured is not documented but a contractor becoming injured or killed is discussed. The regeneration of contractor capability is an issue as well as management and individual contractor resolve to continue the mission.

### Continuation of Services

1. Inability or lacks of desire to conduct contract actions
2. Failure to conduct contract actions because of management deficiencies
3. Injured or killed contractors
4. Contractor cannot regenerate their capability

Support operations are not weapons systems intensive so the probability of any operation failing because of problems associated with systems contractors is low. Since support operations are a teaming of military and civilian authorities with the ultimate responsibility going to the civil authorities the use of civilian contractors to support these operations falls within the intent of the operation. The next section examines the risk for external support contractors in the context of the four Army operations.

### External Support Contractors

External Support was critical to U.S. success in the Gulf War. In the first months of Operation Desert Shield, External support provided essentially the entire Army supply and service effort. Host nation support provided bulk fuel and fresh food. The rest of the external support was provided by contractors under contract of the U.S. Army. (Tillson 1997, S-3)

These contractors provide support for deployed operational forces. This support is separate from systems or theater support contractors. The contracts are awarded before the operation or during the contingency. Contracting officers for external support



contracts are separate from the PARC or systems offices. The LOGCAP is the Army's primary external support contract. This umbrella contract provides for supporting army contingency operations by augmenting support capabilities of selected forces (FM 100-21, 2000 1-8-1-9). Unlike systems contractors, external support contractors focus on producing goods and providing services for the military. External support contractors are less likely to be located with forward deployed combat units.

#### External Support Contractors during Offensive Operations

The following are factors affecting the responsiveness of support of external support contractor during offensive operations.

##### Responsiveness of Support

1. Immature theater and infrastructure
2. Force protection considerations
3. Injured, captured, or killed contractors
4. Language and cultural differences

Deploying to an immature theater will cause difficulty for the external support contractor to acquire the required supplies and workforce. The ARFOR after-action report for operation Restore Hope in Somalia pointed out that contractor support was adequate but because of the lack of any infrastructure, almost all the supplies and equipment the contractor needed had to be flown in. This not only slowed the responsiveness of the contractor to meet government needs but also increased the cost of the contract greatly (10th Mountain Division 1993, 71). In offensive operations this is also a valid concern.

Force protection issues are similar to systems contractors with the added issue that many of the employees working for the external support contractor will be third party nationals or host nation nationals. This creates a security problem for the contractor and the military forces. In a noncontiguous operation security of personnel is required to prevent attacks on friendly force. In Operation Restore Hope security of the Somalis working inside the base camp was a challenge for the contractor and the military. The screening and monitoring of employees is essential so they do not pose a threat to the friendly forces or other contractors. In Somalia, at times as many as eighteen soldiers and six vehicles were necessary to escort a contractor convoy (Schenck 2001, 6).

Theater support contractors in an offensive operation are at risk of injury, death or capture. Unlike the systems contractors who move forward with friendly forces, theater support contractors are normally located within logistics bases. Drawing from the host nation, theater support contractor personnel are vulnerable to conventional or unconventional attacks, and acts of terrorism.

Contractors Pacific Naval Air Bases supported the Navy with base construction before World War II. On the morning of 8 December 1941, the attack of Wake Island occurred and caught the contractors performing their jobs on the island. The company was not able to evacuate the civilians as was required by contract and some contractors took up weapons upon the Japanese invasion. The Japanese took all survivors prisoner and did not distinguish between the contractors and the military (Daws 1994, 36-41). At the end of the war the death rate of Marine prisoners from Wake Island was 3 to 4 percent while the contractors suffered a death rate of 16 percent (Daws 1994, 360).

Finally, language and customs will effect responsive of support. Employees without proper supervision may not be able to react quickly to changes and requirements due to language and cultural differences.

The next section discusses the considerations and risks associated with transition from peace to war.

#### Transition from Peace to War

1. Lack of knowledge of the plan
2. Inability to deploy the contractor in theater quickly
3. Readiness of contractor personnel
4. Diversion of combat units to force protection of contractors

The greatest difference in the transition from peace to war between systems contractors and external support contractors is the amount of planning that is necessary to properly establish a theater support contractor within theater. Habitual relationships do not exist between specific units and theater support contractors. Lessons learned from Operation UPHOLD DEMOCRACY in Haiti point to initial difficulties with the LOGCAP contractor. Security reasons compartmentalized the original OPLAN 2370. The contractor was not able to get the whole picture of the operation and plan accordingly. In addition, the change at the last minute from a forced entry into Haiti to a permissive entry caused confusion. If contractors are not seen as part of the team and left out of planning the military runs the risk of a rough transition from peace to war (US Army CALL 1995a,72). This was also true in Somalia, where the contractor was not involved in any of the military planning and received tasks incrementally (Curtis 2000, 9).

Deployability, readiness, and force protection issues remain the same as discussed earlier regarding systems contractors with the following major exception. Responsibility is greater on the external support contractor's management structure because of the lack of a habitual relationship with a unit and the inability to piggyback on unit readiness exercises and training. This fact puts the responsibility on the contractor to conduct independent readiness training and preparation. LOGCAP for example has a requirement of being in theater ready to provide initial support within seventy-two hours of turn on from the contracting officer (*LOGCAP Battle Book* 2000, 10).

The risks associated with the continuation of essential services in offensive operations for external support contractors include the following:

#### Continuation of Services

1. Inability or lack of desire to conduct contract actions
2. Failure to conduct contract actions because of management deficiencies
3. Injured, killed, or captured contractors
4. Contractor cannot regenerate their capability

The risks associated with the continuation of essential services are the same for external support contracts as they are for systems contractors, but the consequences of the risks are distinct. An example of a problem US forces may face because of a failure to conduct contract operations is illustrated by the following example from Canada. A labor strike at the Canadian base at Goose Bay shut down Canadian and NATO military flights for five weeks (Buhler 2000,11).

Based on their missions, external support contractors are not as dispersed as systems contractors. Any risk that is occurring to an external support contractor has the

potential to reach more people and cause a greater overall impact to the operation as evidenced by the Goose Bay example.

The regeneration of external support contractor's skills is easier than systems contractors based on basic skill sets unless there is a loss of essential management personnel.

### External Support Contractors during Defensive Operations

Defensive operations have the advantage of time for preparation and an understanding of the terrain you will defend. These advantages translate to the external support contractors in defensive operation. The issues concerning responsiveness of support are the same as offensive operations.

The time and preparedness associated with defensive operations will mitigate some of the risk associated with the immature theater and infrastructure. All other risks are essentially the same as offensive operations because of the predominately static structure and location of external support contractors.

The risks associated with the transition from peace to war also remain the same with the exception that defensive operations normally allow more time for preparation of the plan and deployment issues. This mitigates the risk associated with the lack of knowledge of the plan, deployability of the contractor personnel, and readiness of personnel. Defensive operations tend to require more force protection because of the probability of the enemy force attacking at essential nodes, which includes logistical points.

### Transition from Peace to War

1. Lack of knowledge of the plan
2. Inability to deploy the contractor in theater quickly
3. Readiness of contractor personnel
4. Diversion of combat units to force protection of contractors

The risks associated with offensive and defensive operations for external support contractors are the same as systems contractors.

### Continuation of Services

1. Inability or lack of desire to conduct contract actions
2. Failure to conduct contract actions because of management deficiencies
3. Injured, killed or captured contractors
4. Contractor cannot regenerate their capability

### External Support Contractors during Stability Operations

The role of external support contractors in stability operations is much the same as it is in offensive and defensive operations. Political considerations such as force caps make it more likely that external support contractors are utilized in stability operations. The Army was originally authorized in Bosnia to call up 3,888 reservists. The Army used that quota mainly for civil affairs and psychological operations. These specialties were military specific and so contractors were not a valid option. This left little opportunity to call up other support units. LOGCAP filled the combat service support and combat support gap presented by this quota (US General Accounting Office 1997, 6).

The risks in this type of operation associated fall into the same categories with some small distinctions. Responsiveness of support has the following risks:

#### Responsiveness of Support

1. Immature theater and infrastructure
2. Force protection considerations
3. Injured, captured, or killed contractors
4. Language and cultural differences

Because of the varied types of stability operations, the magnitude of each risk above will fluctuate with the type of operation. The nature of stability operations implies instability is present. Infrastructure deficiencies including economic deficiencies in the area where stability operations occur will negatively impact the operation making it more difficult to acquire supplies and services required by the contractor and government.

The risks for transitioning from peace to war and the continuation of essential services remain the same as those discussed in offensive and defensive operations.

#### Transition from peace to war

1. Lack of knowledge of the plan
2. Inability to deploy the contractor in theater quickly
3. Readiness of contractor personnel
4. Diversion of combat units to force protection of contractors

#### Continuation of Services

1. Inability or lack of desire to conduct contract actions
2. Failure to conduct contract actions because of management deficiencies

3. Injured, killed, or captured contractors.
4. Contractor cannot regenerate their capability.

The probability of the risks occurring affect the continuation of essential services is higher for an offensive or defensive operation, but the probability of irregular warfare and terrorist attacks is definitely present during the conduct of stability operations. These attacks can significantly change the focus of a stability operation.

#### External Support Contractors during Support Operations

The following analysis looks at the risks associated with support operations and the use of external support contractors. Support operations augment civil authorities. Support operations combine military and civilian authorities with the ultimate goal of transitioning the military out and achieving civilian control as soon as possible.

The following are risks associated with responsiveness of support for systems contractors in support operations:

#### Responsiveness of Support

1. Immature theater and infrastructure
2. Limiting freedom of movement due to of force protection issues
3. Injured or killed contractors

Similar to systems contractor's infrastructure and the event itself may make it difficult for the contractor to have responsive support. If the support operation is to assist in earthquake relief, the fact that the earthquake has destroyed a great deal of infrastructure will impact the contractor's ability to support. Force protection must consider the local employees and the fact that what the government is protecting against



in a support operation may not be an armed enemy but something like disease, hunger, or floods.

During support operations the transition from peace to war that is discussed in the offensive, defensive, and stability operations is the equivalent to the initiation of a support operation. A lack of readiness and deployability are the two issues here.

#### Transition from Peace to War (Initiation of Support Operation)

1. Inability to deploy the contractor in theater quickly
2. Readiness of contractor personnel

These risks are similar to those in other operations with except support operations are short lived and normally come about with little notice. Based on this a contractor must be able to deploy quickly. There is not enough time in the operation to allow for delays in deployment.

Continuation of services in a time of crisis for support operations falls into the same categories of risk as stability operations. The risk of capture of a contractor is not included in this section. Since a contractor may become injured or killed, regeneration of the higher skill sets remains an issue for the continuation of essential services.

#### Continuation of Services

1. Inability or lack of desire to conduct contract actions
2. Failure to conduct contract actions because of management deficiencies
3. Injured or killed contractors
4. Contractor cannot regenerate their capability

Support operations are logistics intensive so the probability of any operation failing because of problems associated with external support contractors is high. The next section examines the risks associated with theater support contractors.

### Theater Support Contractors

Theater support contractors are different from systems and external support contractors. Theater support contract awards go through the PARC by the contracting officers in theater. Contingency contracting is another name for this process. Contractors provide goods, services, and minor construction and are normally from the local vendor base. The fact that these contract awards are in country makes them fundamentally different than the systems and external support contractors. Theater support contracting is planned in the PARC's theater contracting plan and included in the OPLAN or OPORDER (FM 100-21, 2000, 1-7).

### Theater Support Contractors in Offensive Operations

Theater support contractors come predominately from the local vendor base. The following risks impact their ability to provide support and be responsive:

#### Responsiveness of Support

1. Small or nonexistent vendor base
2. Injured or killed contractors
3. Language or cultural differences

The vendor base is crucial to the award of theater support contracts. During predeployment and deployment activities, theater support contractors provide significant support to deploying forces. They support the military while organic CSS assets are

deploying (FM 100-21 2000, 2-11). The lack of a robust vendor base leads to a lack of support for deployed forces. After-action reports from Operation Uphold Democracy verify this. The vendor base to support friendly forces was not available during the first few months of the operation. The Haitian economy was severely degraded and local goods and services were not readily available because of the three-year embargo. Contracting officers were forced to pay cash up front so the vendors that were available had adequate funds to complete the contract (U.S. Army Center for Army Lessons Learned 1995, 172). During offensive operations, this issue increases because of movement of friendly forces and the need to reestablish the vendor base.

The risk of contractors injured or killed will degrade services. Though not as lucrative a target as systems or external support contractors, theater support contractors still present a target. Force protection is not as much an issue for theater support contractors because they operate locally. If the military contracts out for gravel or water from local vendors force protection is not required at the local quarry or bottling plant, but may be required at the delivery site. During offensive operations, additional force protection may be necessary as the vendors move with the troops. Line haul is a common service provided by theater support contractors that requires increased force protection in offensive operations.

Because of the vendors originating from the local economy, language and cultural differences will be an important consideration. A misunderstanding of the requirements negatively impacts responsive support. The next category concerns the transition from peace to war.

The transition from peace to war for theater support contractors is simpler because of their location in theater. The main risks dealing with the effective transition is ensuring the proper mix of contracting, finance and legal officials are in theater to prepare the contracts early. The second risk is the availability of a vendor base in theater. Since these risks deal directly with the military's ability to get the correct military and government people in theater early and is not a function of the contractor transitioning from peace to war is not discussed for theater support contractors.

The following risks influence in times of crisis, the continuation of essential services:

#### Continuation of Services

1. Inability or lack of desire to conduct contract actions
2. Injured or killed contractors
3. Contractor cannot regenerate their capability
4. Delays in funding and payment

Perceived threats, actual threats, and danger pose risks that contractors will not want to complete their task. This is true for the theater support contractor as it is for the systems and external support contractors. Injuries or deaths cause degradation in services and a regeneration issue. Problems with payments to theater support contractors will impact their desire to provide the contracted goods or services. This is especially true in crisis situations. If a vendor perceives or experiences risk in the form of a crisis and monetary compensation is not readily available, they will be less likely to perform.

## Theater Support Contractors in Defensive Operations

The risks associated with the use of theater support contractors in defensive operations are essentially the same as the risks discussed for offensive operations. The main difference concerns the range of the operation. Defensive operations owe themselves to a more static vendor base and support structure than offensive operations.

## Theater Support Contractors in Stability Operations

During stability operations responsiveness of support is impacted by the following risks:

### Responsiveness of Support

1. Small or nonexistent vendor base
2. Injured or killed contractors
3. Language or cultural differences
4. Equitable award of contracts

The section dealing with offensive operations discusses the vendor base, injured or killed contractors, language and cultural differences. The equitable award of contracts refers to the awards influencing the local vendor base. In stability operations, ethnic, clan, and faction issues demand consideration. If one group perceives they are not getting their share of contracts instability can result. This was true during operations in Kosovo. During Operation Joint Guardian in Kosovo in 2001, the contingency contracting office established priorities for awarding contractors. The priorities included a mix of Serbian, Serbian/Albanian, and Albanian contractors. This policy assisted in stabilizing the local economy and tension between the factions (Willaims 2001, 2).

Instability in the local vendor base is not conducive to responsive service. During crisis situations, the same risks are present for the continuation of essential services.

#### Continuation of Services

1. Inability or lack of desire to conduct contract actions
2. Injured or killed contractors
3. Contractor cannot regenerate their capability
4. Delays in funding and payment

#### Theater Support Contractors in Support Operations

The local vendor base is for support operations. Risks for support operations are similar to those discussed for external support contractors. Throughout this analysis it must be remembered that support operations include military and civilian authorities with the ultimate goal of getting the military out and regaining civilian control as soon as possible.

#### Responsiveness of Support

1. Small or nonexistent vendor base
2. Injured or killed contractors
3. Language or cultural differences
4. Equitable award of contracts

These risks are the same as those discussed in stability operations except during a support operation the threat of contractors being killed or injured is a function of who the actual enemy is. In a support operation, the threat may be a natural disaster or disease may be the threat and not an armed force.

Continuation of services in a time of crisis for support operations falls into the same categories of risk as stability operations. The risk of a contractor captured is not accounted for. A contractor may become injured or die. Regeneration of the higher skill sets remains an issue for the continuation of essential services.

### Continuation of Services

1. Inability or lack of desire to conduct contract actions
2. Injured or killed contractors
3. Contractor cannot regenerate their capability
4. Delays in funding and payment

### Summary

There are common risks to all types of contractors and types of operations. These risks include:

1. Providing force protection for contractors
2. Injured, killed, or captured contractors
3. Readiness of contractor personnel
5. Deployability of contractors
6. Capability regeneration
7. Failure to conduct contract actions
8. Immature theater and infrastructure

Each contractor type and operation is different and the consequences of the risk depend on the specific operation. The common issues associated with the use of contractors point to the need for a detailed analysis of the use of contractors in each

operation and the potential consequences. The common analysis in this chapter provides the framework for that analysis. Table 2 breaks out the risks discussed in this chapter in a spreadsheet format allowing for quick reference.

Table 2. Risks				
	OFFENSIVE	DEFENSIVE	STABILITY	SUPPORT
Systems Contractors	<b>Responsiveness of support</b> Inability to maintain equipment because of environmental factors Limited Freedom of movement Inability to support Injured, killed or captured  <b>Transition from Peace to War</b> Deployability Readiness Diversion of combat forces to force protection  <b>Continuation of Services</b> Inability to conduct contract actions Management Deficiencies Injured, killed, or captured contractors Regeneration of contractor capability	<b>Responsiveness of support</b> Inability to maintain equipment because of environmental factors Limited Freedom of movement Inability to support Injured, killed or captured  <b>Transition from Peace to War</b> Deployability Readiness Diversion of combat forces to force protection  <b>Continuation of Services</b> Inability to conduct contract actions Management Deficiencies Injured, killed, or captured contractors Regeneration of contractor capability	<b>Responsiveness of support</b> Inability to maintain equipment because of environmental factors Limited Freedom of movement Inability self sustain Injured, killed or captured  <b>Transition from Peace to War</b> Deployability Readiness Diversion of combat forces to force protection Inability to sustain long term operations  <b>Continuation of Services</b> Inability to conduct contract actions Management Deficiencies Injured, killed, or captured contractors Regeneration of contractor capability	<b>Responsiveness of support</b> Inability to maintain equipment because of environmental factors Limited Freedom of movement Inability to support Injured or killed contractors  <b>Transition from Peace to War</b> Deployability Readiness  <b>Continuation of Services</b> Inability to conduct contract actions Management Deficiencies Injured, or killed contractors Regeneration of contractor capability
External Support Contractors	<b>Responsiveness of support</b> Immature theater and infrastructure Force Protection Injured, killed or captured Language and cultural differences  <b>Transition From Peace to War</b> Lack of knowledge of the plan Deployability Readiness Diversion of combat forces to force protection	<b>Responsiveness of support</b> Immature theater and infrastructure Force Protection Injured, killed or captured Language and cultural differences  <b>Transition From Peace to War</b> Lack of knowledge of the plan Deployability Readiness Diversion of combat forces to force protection	<b>Responsiveness of support</b> Immature theater and infrastructure Force Protection Injured, killed or captured Language and cultural differences  <b>Transition From Peace to War</b> Lack of knowledge of the plan Deployability Readiness Diversion of combat forces to force protection	<b>Responsiveness of support</b> Immature theater and infrastructure Force Protection Injured or killed contractors Language and cultural differences  <b>Transition From Peace to War</b> Deployability Readiness



	<b>Continuation of Services</b>  Inability to conduct contract actions Management Deficiencies Injured, killed, or captured contractors Regeneration of contractor capability	<b>Continuation of Services</b>  Inability to conduct contract actions Management Deficiencies Injured, killed, or captured contractors Regeneration of contractor capability	<b>Continuation of Services</b>  Inability to conduct contract actions Management Deficiencies Injured, killed, or captured contractors Regeneration of contractor capability	<b>Continuation of Services</b>  Inability to conduct contract actions Management Deficiencies Injured, or killed contractors Regeneration of contractor capability
Theater Support Contractors	<b>Responsiveness of support</b>  Austere vendor base Injured, killed or captured Language and cultural differences  <b>Continuation of Services</b>  Inability to conduct contract actions Injured or killed contractors Regeneration of contractor capability Delays in funding and payment	<b>Responsiveness of support</b>  Austere vendor base Injured, killed or captured Language and cultural differences  <b>Continuation of Services</b>  Inability to conduct contract actions Injured or killed contractors Regeneration of contractor capability Delays in funding and payment	<b>Responsiveness of support</b>  Austere vendor base Injured, killed or captured Language and cultural differences Equitable award of contracts  <b>Continuation of Services</b>  Inability to conduct contract actions Injured or killed contractors Regeneration of contractor capability Delays in funding and payment	<b>Responsiveness of support</b>  Austere vendor base Injured, killed or captured Language and cultural differences Equitable award of contracts  <b>Continuation of Services</b>  Inability to conduct contract actions Injured or killed contractors Regeneration of contractor capability Delays in funding and payment

## Conclusion

This chapter has taken the different contractor types and for each type of Army operation discussed the risks associated with responsiveness of support, transitioning from peace to war, and the continuation of essential services. The next chapter discusses the results and conclusions drawn from this analysis. The next chapter makes recommendations concerning the integration of contractors into future Army operations, provides mitigation factors for the risks identified, and documents shortfalls of this research and areas for future research.

## CHAPTER 5

### CONCLUSIONS AND RECOMMENDATIONS

The concept of using contractors to support Army operations is not a new one. Contractor support is a part of the Army since the beginning and will continue. The impact of contractors will change, as their roles become more diverse. Reductions in personnel, increasing reliance on technology, and the global presence of the United States Army require the support of contractors. Contractors are part of the battlefield.

As discussed in chapter 4, contractor types and functions vary greatly as well as the application of contractor specialties. The various forms of Army operations all lend themselves to the utilization of contractor support for various functions. The primary question of this research is will the Army's use of contractors negatively impact future military operations. Defining negative impacts as the use of contractors detracting from the operational force, the answer to the primary question is this: The use of contractors in support of Army operations will impact those operations negatively if the risks associated with the contractor support are not identified, mitigated, and the contractor support is not well planned and integrated. The identification of the risks and tailoring of the support for the operation or operations is essential to the successful use of contractors in support of Army.

As identified in chapter 4 each operation has specific risks associated with it. In the context of each mission and for each operation, risks are determined. This process is not new to the military. The military decision making process also applies to the use of contractor support in an operation. Mission analysis and course of action development is the standard throughout the Army to analyze missions and come up with solutions. The

applicability of contractor support and risks associated with it are part of the mission analysis. The planning of an operation should consider this analysis. The data in chapter 4 shows that contractors are not always included in the planning cycle. Even in the case of the LOGCAP contractor, management was not included during the planning phase. The lack of early planning created problems later. Contractor support is an important part of many operations and the contractors responsible for the support must be in on the planning from the beginning.

### Recommendations

Contractors and contractor support is viewed from the administrative and not the operational perspective. In order to more effectively understand, integrate, and employ contractor support it must be viewed as supporting the operation and not purely as an administrative function. To do this, the integration of contractor support into the training structure of the Army is essential. This includes the teaching of current doctrine in schools and application of the doctrine in training exercises to include combat training centers, simulation exercises, and deployment exercises. The Army is currently revising FM 100-21 Contractors on the Battlefield. Once complete this new edition will give the Army a baseline doctrine for training soldiers. Integration of this revised manual into training is essential to making implementing the changes and doctrine.

Schools currently teach the military decision making process. Including the integration of contractor support in the application of the military decision making process will facilitate the understanding and promote the early planning of contractor support. Including a contracting annex in the operations orders presented at schools and

including contracting issues will facilitate the understanding of contractor support. The doctrine related to contractor support is an important aspect when planning operations.

Training at the combat training centers does not currently integrate contractor support into the operational training. Deployment and reception staging and onward integration (RSOI) training is common at the combat training centers and present an opportunity to train the integration of contractors. The focus of RSOI is the generation of combat power. The generation of combat power flows from contractor support at the combat training centers as it does operationally. Systems contractors routinely accompany units to the combat training centers and present an opportunity for integration into the training scenario. The analysis in chapter 4 shows that contractors are part of the battlefield structure. Including them in the structure and operational training at the combat training centers will provide the contractors and the units they support with valuable training and experience instead of operating in an administrative mode.

Applying the risks identified in chapter 4 to training scenarios at the combat training centers is a valid method for removing contractor support from the administrative and including it in the operational. For example, if a unit does not plan for and is not providing force protection for their contractors, the contractors are at risk. Assessment of the contractors as casualties is valid in this scenario. Contractors assessed as a casualty, a victim of a terrorist attack, or refuse to conduct a task because of perceived or actual danger are all valid training scenarios. Contractors who support the force, if included in the training, will also learn from the scenario. Presenting these scenarios will force the operational leaders to address these issues and learn how to plan for them. If using the actual contractors is not feasible because of financial or other concerns role players are

another alternative. Currently the three live combat training centers employ civilians on the battlefield for their training scenarios. They currently replicate refugees, terrorists, villagers and other civilian roles that the military may find when deployed. They can also represent systems, external support and theater support contractors. Depending on the type of operation and training requirements of the unit, the risks identified in Chapter 4 are useful additions to scenarios including contractor support. In addition to the recommended training at the live combat training centers, simulation training should include the integration and use of contractor support. Training assists in developing the procedures and lessons learned as well as establishing a familiarity with the planners and operational commanders of the issues associated with the use of contractors.

Government contracting personnel are another asset the commander has to assist in the planning, training, and inclusion of contract issues for operational plans. Government contractor personnel should be included in the analysis of the mission and be able to make staff recommendations.

### Shortfalls in Research

This research focused on the contractor types and risks associated with operations. The risks identified are general risks and do not apply to a specific operation, theater of operations, unit, or contract. To use the data presented in this analysis it requires tailoring for each operation. The analysis does not provide a detailed accounting for all factors and presents a general guideline. This risk area requires future elaboration. The research does not specifically address funding or the format of the contracts when dealing with flexibility during operations. The research also does not focus on the methods for awarding contracts in a contingency operation and the duties and responsibilities of the

government contracting personnel. Increased research into each of these areas will expand and detail the risks associated with the use of contractors.

### Areas of Future Research

Future research in this topic should focus on the following areas:

1. Applicability of risks on specific operations and contractor types.
2. Training programs and initiatives to integrate contracting issues.
3. Methods of tailoring contractors for flexibility and the location and function of government contracting personnel.

The first area of research entails a more in depth development of the risks associated with specific operations focusing on a contractor type and operations. This research will expand on the risks presented in this paper giving a more detailed analysis of each situation.

The second area of research should focus on the status of current and composition of future training. As discussed above in the recommendations section, training focusing on the utilization of contractor support must be integrated into operations and training. This research should focus on the methods and procedures for implementing that training and discuss the importance, benefits, and costs of implementing training as well as the focus of the training.

The last area of recommended research focus on the government structure to establish and monitor contracts supporting Army operations. Roles of the contracting officer, unit commanders, contractor management, and other government contracting personnel are important future research topics. This research can discuss the question: is the Army contracting structure set up to support the soldier and properly award,

administer, and monitor the contractor? This area of research should also consider contract types and regulations and determine if they are conducive to supporting Army operations. Contract regulations focus on their use in administrative settings but the increased use of contracts operationally may require modifications to the regulations.

## REFERENCE LIST

- Althouse, James E., Major. 1998. Contractors on the battlefield: What doctrine says and doesn't say. *Army Logistician*, November-December, 23-30.
- Bramblett, Howard T. 1998. Prime vendor support. Research Paper, US Army War College, Carlisle Barracks, PA, 11 March.
- Buhler, Carl A. 2000. When contractors deploy: A guide for the operational commander. Research Paper, Naval War College, Newport, RI, 8 February.
- Castillo, Lourdes A. 2000. Waging war with civilians: Asking the unanswered questions. *Aerospace Power Journal* 14, no. 3 (fall 2000): 26-31.
- Chiarotti, Charles G. 2000. Joint contractor logistics support doctrine: Ensuring success on the 21st century battlefield. Research Paper, US Naval War College, Newport, RI, 6 February.
- Condrill, Jo E. 1993. Civilians in support of military field operations. Research Paper, US Army War College, Carlisle Barracks, PA, 15 April.
- Curtis Jr., Donald R. 2000. Civilianizing Army generating forces. Research Paper, US Army War College, Carlisle Barracks, PA, 10 April.
- Davidson, Susan A. 2000. Where is the battle line for supply contractors? *Air Force Journal of Logistics* 23, no. 2: 12-19.
- Daws, Gavan. 1994. *Prisoners of the Japanese: POWs of World War II in the Pacific*. New York: Morrow.
- Dibble, George B., Charles L. Horne III, and William Lucas. 1993. Army contractor and civilian maintenance, supply, and transportation support during Operations Desert Shield and Desert Storm. Bethesda: Logistics Management Institute.
- FMs or Field Manuals. See U.S. Department of the Army.
- Fortner, Joe A. 2000. Managing, deploying, sustaining, and protecting contractors on the battlefield. *Army Logistician* 32, no. 5, (September-October): 3-8.
- Garcia-Perez, Isolde K. 1999. Contractors on the Battlefield in the 21st century. *Army Logistician*, November-December, 40-44.
- Hill, Tichakorn. 2001. Pentagon, OMB stop Army's study of contractor work force. *Federal Times* 37, no. 22 (2 July): 3-5.



- Hogan, Melvin S. 1999. Contractors in the joint theater: The need for a joint doctrine. Research Paper, US Army War College, Carlisle Barracks, PA, 5 February.
- Kolar, Nicholas J. 1998. LOGCAP: Providing vital services to soldier. *Engineer*, March, 20-26.
- Lara Jr., Rafael 1995. A practical guide to contingency contracting. *Army Lawyer*, August, 16-25.
- LOGCAP battle book*. 2000. See U.S. Department of the Army.
- Merkwan, John. 1995. Contracting for the Army in the field. *News From the Front*, September-October, 10-12.
- Reeve, David W. 2001. Contractors in British logistical support. *Army Logistician*, May-June, 8-12.
- Ross, Blair A., and Terrance A. Spoon. 1998. Potential combat risk from outsourcing of selected sustainment functions. Research paper, US Army War College, Carlisle Barracks, PA, April.
- Schenck, Richard G. 2001. Contractors a strategic asset or Achilles heel? Research paper, US Army War College, Carlisle Barracks, PA, April.
- Schmitt, Glenn R. 2000. The Military Extraterritorial Jurisdiction Act. *Army Lawyer*, December, 1-10.
- Shrader, Charles R. 1999. Contractors on the battlefield. AUSA Institute of Land Warfare Landpower Essay, Series No.99-6. Arlington, VA: Association of the United States Army, Institute of Land Warfare, May.
- Stollenwerk, Michael F. 1998. LOGCAP: Can battlefield privatization and outsourcing create tactical synergy? Research paper, School of Advanced Military Studies, United States Army Command and General Staff College, Fort Leavenworth, KS December.
- 10th Mountain Division. 1993. *ARFOR After Action Report for Operation Restore Hope*. Fort Drum, NY: 10th Mountain Division, 2 June.
- \_\_\_\_\_. 1997. Operation Uphold Democracy written after action report. Fort Drum, NY: 10th Mountain Division, 22 May.
- Thomas, Dwight E. 2001. Contract management strategy for the 21st century, 28 August. Available from <http://call.army.mil/products/trngqtr/tq1-01/thomas.htm>. Internet. Accessed 2 October.

- Tillson, John C. 1997. The role of external support in total force planning. Research report, Institute for Defense Analyses, Alexandria, VA, November.
- U.S. Department of the Army. 2000. *Army federal acquisition regulation supplement (AFARS)*. Chicago, IL: CCH, Inc.
- \_\_\_\_\_. 1956. Field Manual 27-100, *Legal support to operations*. Washington, DC: Headquarters Department of the Army, 15 July.
- \_\_\_\_\_. 1985. Army Regulation 700-137, *Logistics civil augmentation program (LOGCAP)*. Washington, DC: Headquarters, Department of the Army, 16 December.
- \_\_\_\_\_. 1998. DA PAM 715-16, *Contractor deployment guide*. Washington, DC: Headquarters, Department of the Army, 27 February.
- \_\_\_\_\_. 1999. Army Regulation 715-9, *Contractors accompanying the force*. Washington, DC: Headquarters, Department of the Army, 19 October.
- \_\_\_\_\_. 1999. Field Manual 100-10-2, *Contracting support on the battlefield*. Washington, DC: Headquarters, Department of the Army, 4 August.
- \_\_\_\_\_. 2000a. Field Manual 100-21, *Contractors on the Battlefield*. Washington, DC: Headquarters, Department of the Army, 26 March.
- \_\_\_\_\_. 2000b. *LOGCAP battle book*. Alexandria Virginia: Headquarters United States Army Material Command, 31 January.
- \_\_\_\_\_. 2001. Field Manual 3-0, *Operations*. Washington, DC: Headquarters Department of the Army, 14 June.
- \_\_\_\_\_. Center for Army Lessons Learned (CALL). 1992-1993. *Operation Restore Hope lessons learned report*. Fort Leavenworth, KS: CALL, 3 December 1992- 4 May 1993.
- \_\_\_\_\_. 1994a. *Lessons learned report, Former Yugoslav Republic of Macedonia*. Fort Leavenworth, KS: CALL, October.
- \_\_\_\_\_. 1994b. *Operation Uphold Democracy initial impressions Haiti D-20 to D+40*. Fort Leavenworth, KS: CALL, December
- \_\_\_\_\_. 1995a. *Operation Uphold Democracy initial impressions Haiti D-20 to D+150*. Vol.2. Fort Leavenworth, KS: CALL, April.
- \_\_\_\_\_. 1995b. *The U.S. Army and United Nations peace keeping initial impressions*. Vol. 3. Fort Leavenworth, KS: CALL, July.

U.S. Department of Defense. 2000. *Federal acquisition regulation*. Chicago, IL: CCH, Inc.

\_\_\_\_\_. *Defense federal acquisition regulation supplement*. Chicago, IL: CCH, Inc.

U.S. General Accounting Office (GAO). 1997. Contingency Operations-Opportunities to Improve the Logistics Civil Augmentation Program. Washington, D.C.:GPO, 11 February.

Whitson, Anthony K. 2001. Logistical Contractors On The Peacekeeping (PKO) Battlefield: A Guide For The Operational Commander. Research Paper, US Naval War College, Newport, RI, 15 February.

Williams, Chris. 2001. Contingency Contracting Operation JOINT GUARDIAN. The Joint Uniform Lessons Learned System (JULLS) Long Report. February.

Wynn, Donald T. 2000. Managing the Logistics-Support Contract in the Balkans Theater. *Engineer*, July, 15-19.

Young, David L. 1998. Operational Planning for Contractors on the Battlefield. Research Paper, US Naval War College, Newport, RI, 18 May.

Young, David L. 1999. Planning: The Key to Contractors on the Battlefield, *Army Logistician* 31. May-June. 10-13.

Zamparelli, Steven J. Contractors on the battlefield: What have we signed up for? Air Force Logistics Management Agency, Issues and Strategy 2000: Contractors on the Battlefield, Office of the Air Force Journal of Logistics. 8-20 December.

## INITIAL DISTRIBUTION LIST

1. Combined Arms Research Library  
U.S. Army Command and General Staff College  
250 Gibbon Ave.  
Fort Leavenworth, KS 66027-2314
2. Defense Technical Information Center/OCA  
825 John J. Kingman Rd., Suite 944  
Fort Belvoir, VA 22060-6218
3. MAJ Duane H. Riddle  
DLRO  
USACGSC  
1 Reynolds Ave.  
Fort Leavenworth, KS 66027-1352
4. LTC Clayton T. Newton  
DLRO  
USACGSC  
1 Reynolds Ave.  
Fort Leavenworth, KS 66027-1352
5. COL E. Wayne Powell  
12201 Timbercross Circle  
Richmond, VA 23233-2280

## CERTIFICATION FOR MMAS DISTRIBUTION STATEMENT

1. Certification Date: 31 May 2002
2. Thesis Author: MAJ Martin A. Zybura
3. Thesis Title: Will the Army's Continued Reliance on Contractors Negatively Impact Future Military Operations?

4. Thesis Committee Members

Signatures:

---

---

---

---

5. Distribution Statement: See distribution statements A-X on reverse, then circle appropriate distribution statement letter code below:

A B C D E F X

SEE EXPLANATION OF CODES ON REVERSE

If your thesis does not fit into any of the above categories or is classified, you must coordinate with the classified section at CARL.

6. Justification: Justification is required for any distribution other than described in Distribution Statement A. All or part of a thesis may justify distribution limitation. See limitation justification statements 1-10 on reverse, then list, below, the statement(s) that applies (apply) to your thesis and corresponding chapters/sections and pages. Follow sample format shown below:

### EXAMPLE

<u>Limitation Justification Statement</u>	/	<u>Chapter/Section</u>	/	<u>Page(s)</u>
<u>Direct Military Support (10)</u>	/	<u>Chapter 3</u>	/	<u>12</u>
<u>Critical Technology (3)</u>	/	<u>Section 4</u>	/	<u>31</u>
<u>Administrative Operational Use (7)</u>	/	<u>Chapter 2</u>	/	<u>13-32</u>

Fill in limitation justification for your thesis below:

<u>Limitation Justification Statement</u>	/	<u>Chapter/Section</u>	/	<u>Page(s)</u>
<hr/>	/	<hr/>	/	<hr/>
<hr/>	/	<hr/>	/	<hr/>
<hr/>	/	<hr/>	/	<hr/>

7. MMAS Thesis Author's Signature: 

---

STATEMENT A: Approved for public release; distribution is unlimited. (Documents with this statement may be made available or sold to the general public and foreign nationals).

STATEMENT B: Distribution authorized to U.S. Government agencies only (insert reason and date ON REVERSE OF THIS FORM). Currently used reasons for imposing this statement include the following:

1. Foreign Government Information. Protection of foreign information.
2. Proprietary Information. Protection of proprietary information not owned by the U.S. Government.
3. Critical Technology. Protection and control of critical technology including technical data with potential military application.
4. Test and Evaluation. Protection of test and evaluation of commercial production or military hardware.
5. Contractor Performance Evaluation. Protection of information involving contractor performance evaluation.
6. Premature Dissemination. Protection of information involving systems or hardware from premature dissemination.
7. Administrative/Operational Use. Protection of information restricted to official use or for administrative or operational purposes.
8. Software Documentation. Protection of software documentation - release only in accordance with the provisions of DoD Instruction 7930.2.
9. Specific Authority. Protection of information required by a specific authority.
10. Direct Military Support. To protect export-controlled technical data of such military significance that release for purposes other than direct support of DoD-approved activities may jeopardize a U.S. military advantage.

STATEMENT C: Distribution authorized to U.S. Government agencies and their contractors: (REASON AND DATE). Currently most used reasons are 1, 3, 7, 8, and 9 above.

STATEMENT D: Distribution authorized to DoD and U.S. DoD contractors only; (REASON AND DATE). Currently most reasons are 1, 3, 7, 8, and 9 above.

STATEMENT E: Distribution authorized to DoD only; (REASON AND DATE). Currently most used reasons are 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10.

STATEMENT F: Further dissemination only as directed by (controlling DoD office and date), or higher DoD authority. Used when the DoD originator determines that information is subject to special dissemination limitation specified by paragraph 4-505, DoD 5200.1-R.

STATEMENT X: Distribution authorized to U.S. Government agencies and private individuals of enterprises eligible to obtain export-controlled technical data in accordance with DoD Directive 5230.25; (date). Controlling DoD office is (insert).